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American**Motorcyclist** Association

March 2, 2007

Tourism, Outdoor Recreation & Natural Resources Committee
PO Box 30014
Capitol Building
Lansing, MI 48909

RE: Support of House Bill 4323

Dear Chairman Sheltroun and Members of the Tourism, Outdoor Recreation & Natural Resources Committee:

The American Motorcyclist Association (AMA) is a not-for-profit organization, founded in 1924 and incorporated in Ohio. In partnership with our sister organization, the All-Terrain Vehicle Association (ATVA), we represent nearly 283,000 ATV and motorcycle enthusiasts nationwide, more than 14,000 of them live in Michigan. Our members are interested in any action that may affect their enjoyment of motorcycle or ATV recreation. In this regard, we write in support of HB 4324.

As you know, HB 4323 would allow County Boards of the northern counties (defined as those that are north of the south line of township 12 north) to adopt ordinances authorizing the operation of off-road vehicles (ORV) on the right-of-way of public streets and roads within the county.

The AMA believes that the northern counties represent an environment that will allow for the safe operation of ORVs on certain rights-of-way. Furthermore, we believe that it is appropriate to allow the counties to make their own decisions regarding ORV use.

The AMA is concerned by the assignment of *prima facie* negligence to an ORV operator in the event of an on-road accident. This clause does not appear to be necessary to ensure that the county or state is held harmless in the event of an accident. Rather it seems to reduce the burden of care for other vehicle operators. We ask the committee to consider the necessity of this clause.

We respectfully request that you act to advance HB 4323.

Sincerely,

Royce L. Wood
American Motorcyclist Association